REMARKS

By this amendment, claims 1-5 and 13-35 have been canceled, without prejudice

or disclaimer of the subject matter thereof; claims 6, 7, 9, and 36-39 have been

amended; and claims 40-47 have been added. Claims 6-12 and 36-47 are currently

pending.

In the Final Office Action,[1] the Examiner repeated the rejection of claims 6-12

under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,754,181 to

Elliot et al. ("Elliot"). The Examiner also repeated the rejection of claims 36-39 under

35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,484,155 to Kiss et al.

("Kiss"). Applicants respectfully traverse these rejections for the following reasons.

A.   Claims 6-12 and 42-47

Applicants respectfully traverse the rejection of claims 6-12 under 35 U.S.C.

§ 102(e) for at least the reason that Elliot fails to disclose every claim element. For

example, amended claim 6 recites, among other things:

> receiving an event;
> categorizing the received event;
> non-deterministically identifying a situation that matches the
> categorized received event; and
> executing one or more tasks for the situation, the execution of the
> one or more tasks including interpretation of a business domain model to
> generate a recommendation for a business action.

Elliot is generally directed to a system and method for a directory service

supporting a hybrid communication system architecture. See Title. As presented in the

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[1] The Final Office Action contains statements reflecting characterizations of the related
art and the claims. Regardless of whether any such statement is identified herein,
Applicants decline to automatically subscribe to any statement or characterization in the
Final Office Action.

Amendment of March 23, 2005, the Examiner identified "DS-3 transmission alarms" of

Elliot as categorized received events (see previous Office Action, page 2, citing Elliot at

col. 109, lines 16-20) and further identified either the "maintenance schedule

information" or the "planned network outages" as categorized received events (see

previous Office Action, page 3, citing Elliot at col. 109, lines 20-24). However,

"maintenance schedule information" and "planned network outages" (which are derived

from maintenance schedule information) are not the same or equivalent to "DS-3

transmission alarms" because "DS-3 transmission alarms [are received] from other

network management systems 338" and "maintenance schedule information [is

received] from a Network Maintenance Schedule system 340," as specified by Elliot.

Moreover, Elliot describes an SS7 Network Management System (SNMS) for

"reading, analyzing, processing, and storing events," and "[determining] what to do with

the event based on the event type identification." See Elliot, col. 111, lines 12-29.

However, reading, identifying, analyzing, processing, and storing events are

accomplished without, and therefore do not constitute, "non-deterministically identifying

a situation that matches the categorized received event," as claimed.

Elliot also describes various steps taken by the SNMS based on the event type

identification. For example, if an event is determined to be topology data, the SNMS

updates a graphical user interface (GUI), performs a reconciliation with active alarms,

and records the new topology data. See Elliot, col. 111, lines 30-36. If an event is

determined to be NMS data, the SNMS stores the event for future reference. See Elliot,

col. 111, lines 37-40. In response to an SS7 network event, the SNMS invokes one or

more algorithms. See Elliot, col. 111, lines 41-67. However, none of the steps

disclosed by Elliot constitute "executing one or more tasks for the situation, the execution of the one or more tasks including interpretation of a business domain model to generate a recommendation for a business action," as claimed.

Accordingly, Applicants respectfully maintain that Elliot fails to disclose every claim element of amended claim 6 and the 35 U.S.C. § 102(e) rejection of claim 6 and claims 7-12, which depend from claim 6, should be withdrawn. New claims 42-47 depend from and add additional features to independent claim 6 and are, therefore, allowable for at least the reasons set forth above.

2. Claims 36-41

Applicants respectfully traverse the rejection of claims 36-39 under 35 U.S.C. § 102(e) for at least the reason that Kiss fails to disclose every claim element. For example, amended claim 36 recites, among other things: "program instructions for categorizing the received event; [and] program instructions for non-deterministically identifying a situation that matches the categorized received event; . . . ."

As reasoned in the Amendment of March 23, 2005, the § 102(e) rejection of claim 36 is deficient for at least two reasons. First, in rejecting the claim element, the Examiner cited Kiss, col. 2, lines 18-19 (see previous Office Action, page 5), which describes the "queries" of a prior art system (U.S. Patent No. 5,628,011 to Ahamed et al. ("Ahamed")) and characterizes this solution as inferior. Second, the Examiner inconsistently identified both the "queries" of Ahamed and "problem statements" of Kiss as categorized received events. See previous Office Action, page 5.

Thus, Applicants respectfully maintain that Kiss fails to disclose "program instructions for categorizing the received event; [and] program instructions for identifying

a situation that matches the categorized received event," as claimed. Accordingly, the

35 U.S.C. § 102(e) rejection of claim 36 and claims 37-39, which depend from claim 36,

should be withdrawn. New claims 40 and 41 depend from and add additional features

to independent claim 36 and are, therefore, allowable for at least the reasons set forth
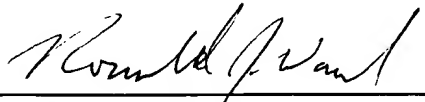
above.

Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully

request reconsideration and reexamination of this application and the timely allowance

of the pending claims.

Please grant any extensions of time required to enter this response and charge

any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: November 1, 2005   By:_____

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